

# Information for Workers

## Your rights and responsibilities

You play the most important role in your recovery. It is important to actively participate in your treatment and rehabilitation, stay in touch with your workplace and your family and friends and return to your normal routine when it is safe to do so. Within your role, you have the following rights and responsibilities:

### Rights

- If you have a certified incapacity for work, you are entitled to be paid weekly compensation on your employer's usual pay days.
- You are entitled to attend a medical practitioner of your choice and to payment of reasonably incurred medical and hospital expenses. In addition, you are entitled to claim for reasonable costs of travelling and accommodation, including vehicle running expenses (at the prescribed per kilometre rate) incurred while obtaining treatment.
- The maximum compensation payable in weekly payments and lump sum settlements is called the Prescribed Amount, (please see WorkCover WA website for details of prescribed amounts – [www.workcover.wa.gov.au](http://www.workcover.wa.gov.au)) and is indexed annually. You will be notified by us when 80 percent of the Prescribed Amount has been spent.
- You have the right to participate in the development of a Return to Work Plan, in conjunction with your employer and treating medical practitioner. You may also be entitled to workplace rehabilitation. The maximum entitlement for workplace rehabilitation payments is 7 percent of the Prescribed Amount and you may attend an accredited workplace rehabilitation provider of your choice.
- As your entitlements for medical expenses are capped, accessing subsidised Pharmaceutical Benefits Scheme (PBS) medications will see your capped entitlement go further. If you require medication and you have a medicare card, check with your doctor whether it can be prescribed under the PBS. For medications considered reasonable for your claimed injury;
  - you are entitled to be reimbursed all patient contribution charges set out in the PBS, including brand and therapeutic premiums
  - you are entitled to be reimbursed for non-PBS privately prescribed) medications if, in the medical practitioner's opinion, the medications are clinically appropriate for your condition and there is no readily available alternative on the PBS.
- You are entitled to request in writing copies of documents relating to your claim.
- If you disagree with a decision made in relation to your claim, you have the right to request that the decision be reviewed via our Dispute Resolution process. If you are not satisfied with the result, you may lodge an application for review with WorkCover WA.

### Responsibilities

- If you are certified unfit or partially incapacitated for work and you are in receipt of weekly compensation payments and/ or you are seeking ongoing medical treatment, you should provide to your employer medical certificates completed by a registered medical practitioner, certifying your level and period of incapacity and treatment required. It is your responsibility to ensure that you always have a current medical certificate.
- Treatment such as physiotherapy, osteopathy, exercise programmes and medication must be prescribed by your treating medical practitioner. So we can provide prompt approval for reasonable treatment and costs, please keep us informed of your treatment referrals. Any non-attendance fees that are incurred will be your responsibility.
- Medical treatment including treatment provided interstate is paid at the Gazetted Rates agreed by WorkCover WA. Please note interstate treatment providers may not be aware of the Gazetted Rates and may charge above those rates. In all cases, we will only meet medical costs up to the Gazetted Rates and any charges above the Gazetted Rates will remain your responsibility. Please see the WorkCover WA website for details, [www.workcover.wa.gov.au](http://www.workcover.wa.gov.au)
- You have the responsibility to participate in a Return to Work Plan that you, your employer and your treating medical practitioner have developed. In addition, you are required to actively participate in and cooperate with any workplace rehabilitation program to assist you back to work and engage in treatment prescribed by your treating medical practitioner.
- If you commence remunerated work with another employer after making a claim for weekly payments of compensation, you are required to inform your employer or us within 7 days of the commencement of that work.
- If you are receiving weekly payments and no longer reside in the State, you are required to prove your identity and your continuing incapacity related to your entitlement to weekly payments, by delivering to your employer or ourselves, at intervals of 3 months, a declaration completed by yourself and a registered medical practitioner.

**The information provided above is general information regarding the workers' compensation and injury management system. It must not be considered legal advice. If you have any queries, please contact your Claims Consultant. You may also contact WorkCover WA, the statutory authority for workers' compensation and injury management on telephone 1300 794 744.**

## Privacy and your information

Set out below is important information about:

- a) the purposes for which we collect your personal information
- b) the way in which we handle your personal information
- c) how you can gain access to your personal information
- d) the organisations (or the types of organisations) to which we disclose personal information
- e) the main consequences for you if all or part of your personal information is not provided to us, **and**
- f) how you can gain further information about the way in which we handle your personal information in accordance with our Privacy Policy.

## Collection, use and disclosure of personal information

We need to collect, use and disclose your personal information to assess, investigate, manage, defend and otherwise deal with your claim. If you choose not to provide any or some of the information requested, this will affect our ability to do the above and will result in a delay in the assessment of your claim. It may also lead to your claim being declined. In addition we may collect, use and disclose your personal information to administer and manage our products and services, including the management and administration of underwriting and claims, recoveries and settlements.

1. By providing your personal information (including sensitive information such as medical information) to us, you consent to us:
  - a) collecting and using your personal information for the purposes of assessing, investigating, managing, defending and otherwise dealing with your claim or any subsequent claim including producing and providing access to claim data reports, **and**
  - b) for the purposes set out in (1)(a), disclosing your personal information (on a confidential basis) to and collecting it from any of the following parties (some of which may be located outside of Australia):
    - i. your employer; our related entities, our distributors and agents; our investigators, mercantile agents, wage auditors, medical providers, rehabilitation/injury management providers and any other party providing services to us or to your employer.
    - ii. the agent of any of the parties referred to in (b)(i) above
    - iii. other insurers, insurance intermediaries, insurance brokers, insurance consultants, government regulators or insurance reference bureaux
    - iv. lawyers, Workers Compensation Regulators and law enforcement agencies, and
    - v. any other party as is required by law or other Court order.

2. By providing personal information about anyone else, you acknowledge that you are authorised to provide that personal information to us and that you will inform such other persons:
  - a) who we are
  - b) that we will use and disclose their personal information in the manner detailed in 1 above, **and**
  - c) that they can gain access to their personal information.

If you do not consent to our collection, use and disclosure of your personal information as explained in this form, you need to inform us immediately in writing.

## Our Privacy Policy

Any personal information you provide to WFI Workers Compensation will be collected, stored, used and disclosed in accordance with our Privacy Policy located at [www.wfi.com.au/privacy](http://www.wfi.com.au/privacy). Alternatively, contact us on 1300 934 934 and we will send you a copy.